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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,724	02/12/2004	Richard Louis Arndt	AUS920031060US1	5919
35525	7590	04/08/2008	EXAMINER	
IBM CORP (YA)			BLACK, LINH	
C/O YEE & ASSOCIATES PC				
P.O. BOX 802333			ART UNIT	PAPER NUMBER
DALLAS, TX 75380			2163	
			NOTIFICATION DATE	DELIVERY MODE
			04/08/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptonotifs@yeeiplaw.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/777,724	<b>Applicant(s)</b> ARNDT ET AL.	
	<b>Examiner</b> LINH BLACK	<b>Art Unit</b> 2163	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 December 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

This communication is in response to the Appeal Brief filed 12/19/2007. Based on the reconsideration of the Applicants' arguments, Examiner hereby reopens the case's prosecution. Claims 1-21 are pending in the application. Claims 1, 11, and 21 are independent claims.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Armstrong et al. (US 6467007).

As per claims 1, 11, 21, Armstrong et al. teach a method for managing shared resources in a logical partitioned data processing system – fig. 1: data processing apparatus; fig. 2: logical partitions with partition manager for shared services; col. 1, lines 43-67; col. 5, lines 9-41.

granting, by a server partition in the logical partitioned data processing system, a logical resource to a client partition in the logical partitioned data processing system – fig. 2,

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the primary partition (A) is the server partition, the secondary partition (B)/(C) is the client partition; col. 5, lines 23-65.

communicating an identifier from the server partition to the client partition; and responsive to the client partition accepting the identifier, mapping, the logical resource into a logical address space of the client partition, wherein the mapping is performed by the client partition – col. 1, line 52-67 (a partition manager or hypervisor manages the logical partitions and facilitates the allocation of resources to different logical partitions....maintains separate virtual memory address spaces for the various logical partitions so that the memory utilized by each logical partitions is fully independent of the other logical partitions. One or more address translation tables are typically used by a partition manager to map addresses from each virtual address space to different addresses in the physical, or real, address space of the computer...so that the shared memory can be accessed directly by the logical partition. Examiner interprets that the Address Translation Tables store IDs that the clients can use to access resources across partitions); col. 5, lines 23-65 (each logical partition 40-44 executes in a separate memory space, represented by virtual memory 60. Moreover each logical partition is statically and/or dynamically allocated a portion of the available resources in computer 10...Resources can be allocated in a number of manners...); col. 7, line 66 to col. 8, line 36.

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As per claims 2-4, 12-14, Armstrong et al. teach generating an identifier for the logical resource, wherein the identifier is generated by a hypervisor; wherein the identifier is unique within the client partition – col. 1, lines 43-67; col. 7, line 65 to col. 8, line 35; fig. 3, virtual page number. Since each logical partition operates as a fully independent computer, its each logical resource id shall be distinct within the partition for translating/mapping and identification purposes and which separates from the resource outside of the partition, thus, cannot be used to access the logical resource outside.

As per claim 5, Armstrong et al. teach resources may be allocated to any logical partition in the alternative; moreover, resources can be reallocated on a dynamic basis to service the needs of other logical partitions – col. 5, lines 55-65; thus, when resources need be relocated, a client/secondary partition has to return the control of resource back to the primary/server partition.

As per claims 6-8, Armstrong et al. teach rescinding, by the server partition, the logical resource; responsive to a determination, at the server partition, that the client partition is incapable of gracefully returning the logical resource, performing a forced rescind operation; preventing translation tables in the client partition from containing references to a physical address of the logical resource – col. 3, lines 13-56, especially lines 23-43 (requires that one or more entries in the address translation table be invalidated to ensure that a subsequent access to the

virtual memory address space will attempt to access an unmapped virtual memory address).

As per claims 9-10, Amstrong et al. teach computer 10 need not be shut down if there is a hung processor in a partition; it is often desirable to initiate a reset operation to the hung partition supported by another processor. A reset request and a memory access interrupt are created...and sent to the problem partition...col. 3, lines 1-49; delay/waits at block 124 for the target processor to return to a known initial state by setting a timer and periodically checking the responsiveness of the target processor...col. 8, lines 35-59.

### ***Response to Arguments***

Applicant's arguments with respect to claims above have been considered. However, the prior art Greene et al. is no longer applied and the prior art Armstrong et al. has be reconsidered and applied herewith.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LINH BLACK  
Examiner  
Art Unit 2163

March 10, 2008  
/don wong/  
Supervisory Patent Examiner, Art Unit 2163